

REMARKS/ARGUMENTS

Claims 1-14 and 19-26 are pending in this application. By this Amendment, claims 15-18 are canceled without prejudice or disclaimer, claims 1-2, 5 and 10-14 are amended and claims 19-26 are added. Reconsideration in view of the above amendments and the following remarks is respectfully requested.

Applicant sincerely acknowledges the Office Action's indication that claims 2-14 define patentable subject matter. However, for at least the following reasons, Applicant respectfully submits that all pending claims define patentable subject matter.

A. Statement of the Substance of the Interview. Applicant gratefully acknowledges the courtesies extended by Examiner Desta. The substance of the August 11, 2003 interview is incorporated in the following remarks.

During the interview, the statutory period for response to the Office Action was agreed to be three (3) months as later indicated by the August 15, 2003 (Supplemental) Office Action. No exhibit was presented or demonstration conducted during the interview. Applicant respectfully requests that this paper be included in the record for purposes of satisfying the requirements under MPEP §713.04.

B. The Office Action objects to the title for not being descriptive. By this Amendment, the title is amended to "POWER SAVING METHOD AND APPARATUS FOR A PORTABLE APPLIANCE (AS AMENDED)." Applicant respectfully submits that the

above amendments obviate the grounds for the objection. Withdrawal of the objection to the title is respectfully requested.

C. The Office Action rejects claim 1 under 35 U.S.C. §102(b) over U.S. Patent No. 5,737,616 to Watanabe. The rejection is respectfully traversed.

With respect to claim 1, Applicant respectfully submits that Watanabe fails to disclose every claimed feature as required under §102. For example, Watanabe fails to disclose at least features of measuring remaining capacity of a battery and frequency of use by the devices in the appliance and selecting devices on the user set-up menu to be disconnected from the battery power and combinations thereof as recited in claim 1. Further, Applicant respectfully submits Watanabe does not teach or suggest any modification to its disclosure that would result in at least a feature of measuring remaining capacity of a battery and frequency of use of the devices in the appliance and selecting devices on the user set-up menu to be disconnected from the battery power and combinations thereof as recited in claim 1.

For at least the reasons set forth above, Applicant respectfully submits claim 1 defines patentable subject matter. Withdrawal of the rejection of claim 1 under 35 U.S.C. §102 is respectfully requested.

D. Claims 19-26 are newly added by this Amendment and believed to be in condition for allowance.

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CONCLUSION

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and prompt allowance are earnestly solicited.

If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney, **Carl R. Wesolowski**, at the telephone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
FLESHNER & KIM, LLP



Carl R. Wesolowski
Registration No. 40,372

P.O. Box 221200
Chantilly, Virginia 20153-1200
703 502-9440 DYK/CRW:jld

Date:

Please direct all correspondence to Customer Number 34610